

Attorney Docket No. A049 US

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicant(s) : Jurg Tschopp
Application No. : 09/520,489 Confirmation No. : 1565
Filed : March 8, 2000
For : APRIL- A NOVEL PROTEIN WITH GROWTH
EFFECTS
Group Art Unit : 1642
Examiner : Karen Canella

New York, New York 10020
July 15, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed January 15, 2002 in which the rejection of claims 36, 37, and 39-49 was made final.

- [] Applicant(s) respectfully requests an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.
- [X] An additional three-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

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TECH CENTER 1600/2900

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[X] Address all correspondence to:

James F. Haley, Jr.
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

- [X] A check in the amount of [X] \$320.00 [] \$600.00 in payment of the [X] appeal fee, [] appeal and oral hearing fees, is enclosed.
- [] Please charge [] \$320.00 [] \$600.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee; [] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.
- [X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

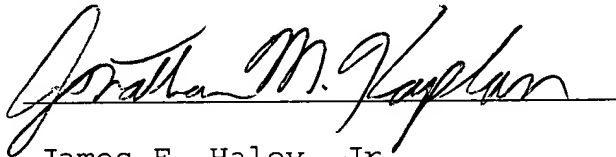
EXTENSION FEE

- [X] The following extension fee is applicable to the Notice of Appeal filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,440.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$1,960.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a).
- [X] A check in the amount of [] \$110.00; [] \$400.00; [] \$920.00; [] \$1,440.00; [] \$1,960.00; [X] \$520.00, which represents the difference between the extension fee for response within the third month and the extension fee for response within the second month (\$920-\$400=\$520) which was paid with the Amendment and Reply filed on June 13, 2002, in payment of the extension fee is transmitted herewith.

[] Please charge the [] \$110.00; [] \$400.00; [] \$920.00; [] \$1,440.00; [] \$1,960.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[X] The Director is hereby authorized to charge payment of any additional fee required under 37 C.F.R. § 1.17, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jonathan M. Kaplan", written over a horizontal line.

James F. Haley, Jr.
Reg. No. 27,794
Jonathan M. Kaplan
Reg. No. 46,819
Attorneys for Applicant

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